

1 KAMALA D. HARRIS
Attorney General of California
2 KAREN B. CHAPPELLE
Supervising Deputy Attorney General
3 NANCY A. KAISER
Deputy Attorney General
4 State Bar No. 192083
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-5794
6 Facsimile: (213) 897-2804

7 *Attorneys for Complainant*

8
9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. *2013-862*

13 **JOSEPH ALFONSO TAO,**
a.k.a. JOSEPH ALFONSO AMADO
14 **NARAZO TORRES**
5510 Sepulveda Blvd, Unit 125
15 Sherman Oaks, CA 91411

ACCUSATION

16 Registered Nurse License No. 600997

17 Respondent.

18
19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
22 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
23 Consumer Affairs (Board).

24 2. On or about June 26, 2002, the Board issued Registered Nurse License No. 600997 to
25 Joseph Alfonso Tao, aka Joseph Alfonso Amado Narazo Torres (Respondent). The Registered
26 Nurse License was in full force and effect at all times relevant to the charges brought herein and
27 will expire on April 30, 2014, unless renewed.

28 ///

1

2

4

5

9

2

5

6

8

9

0

3

4

7

8

1 **REGULATORY PROVISION**

2 8. California Code of Regulations, title 16, section 1444 states, in pertinent part:

3 "A conviction or act shall be considered to be substantially related to the qualifications,
4 functions or duties of a registered nurse if to a substantial degree it evidences the present or
5 potential unfitness of a registered nurse to practice in a manner consistent with the public health,
6 safety, or welfare."

7 **COST RECOVERY**

8 9. Section 125.3 provides that the Board may request the administrative law judge to
9 direct a licentiate found to have committed a violation or violations of the licensing act to pay a
10 sum not to exceed the reasonable costs of the investigation and enforcement of the case, with
11 failure of the licentiate to comply subjecting the license to not being renewed or reinstated. If a
12 case settles, recovery of investigation and enforcement costs may be included in a stipulated
13 settlement.

14 **FIRST CAUSE FOR DISCIPLINE**

15 **(Conviction of a Substantially Related Crime)**

16 10. Respondent is subject to disciplinary action under sections 490 and 2761,
17 subdivision (f), in that Respondent was convicted of a crime substantially related to the
18 qualifications, functions or duties of a registered nurse which to a substantial degree evidences his
19 present or potential unfitness to practice in a manner consistent with the public health, safety, or
20 welfare, as follows:

21 a. On or about May 10, 2012, after pleading nolo contendere, Respondent was convicted
22 of one greater interlineated misdemeanor violation of Penal Code section 647(a) [lewd conduct]
23 in the criminal proceeding entitled *The People of the State of California v. Joseph Tao* (Super. Ct.
24 Los Angeles County, 2011, No. 1PY06457). The Court placed Respondent on 12 months
25 probation, ordered him to complete AIDS education, and ordered him to stay away from Woodley
26 Park.

27 b. The circumstances underlying the conviction are that on or about November 5, 2011,
28 Respondent, armed with condoms and lubricant, strolled Woodley Park in Van Nuys, California,

1 solicited a Los Angeles Police vice officer working undercover, and negotiated for sex by
2 publicly masturbating. Respondent was arrested.

3 **SECOND CAUSE FOR DISCIPLINE**

4 **(Unprofessional Conduct)**

5 11. Respondent is subject to disciplinary action under section 2761, subdivision (a), in
6 that he engaged in a dishonest course of conduct. In order to renew his Registered Nursing
7 License without having to report a misdemeanor conviction to the Board, on or about March 6,
8 2012, in the criminal matter *People v. Tao, supra*, Case No. 1PY06457, Respondent negotiated
9 down the original misdemeanor charge of lewd conduct, count 1, to an infraction charge of
10 trespass (Los Angeles Municipal Code section 41.24(a) [trespass on private property]), count 2.
11 The agreement provided that Respondent would return to the court in approximately 90 days,
12 after Respondent renewed his license, at which time the criminal complaint would be amended to
13 re-add the misdemeanor violation of Penal Code section 647(a) [lewd conduct], count 3,
14 Respondent would plead nolo contendere to count 3, and the court would convict and sentence
15 him on count 3 and dismiss count 2.

16 **THIRD CAUSE FOR DISCIPLINE**

17 **(Unprofessional Conduct / Violate Nursing Practice Act)**

18 12. Respondent is subject to disciplinary action under section 2761, subdivision (a) and /
19 or (d), in that Respondent committed acts of unprofessional conduct, and / or acts violating the
20 Nursing Practice Act. Complainant refers to and by this reference incorporates the allegations set
21 forth above in paragraphs 11 and 12, inclusive, as though set forth fully.

22 **PRAYER**

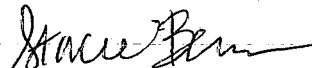
23 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
24 and that following the hearing, the Board issue a decision:

25 1. Revoking or suspending Registered Nurse License No. 600997, issued to Joseph
26 Alfonso Tao, aka Joseph Alfonso Amado Narazo Torres;

27 2. Ordering Joseph Alfonso Tao to pay the Board the reasonable costs of the
28 investigation and enforcement of this case, pursuant to section 125.3; and

3. Taking such other and further action as deemed necessary and proper.

DATED: APRIL 8, 2013

for 
LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

LA2012507708
51202603_2.doc